

TENTATIVE

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department  
518-471-4777

SESSION CALENDAR FOR WEDNESDAY, JANUARY 10, 2024

1:00 P.M. SESSION

CL LY RE MS PO

BENCH POSITION: McShan, J., Lynch, J., Clark, J.P., Reynolds Fitzgerald, J., Powers, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
(1)	535191	<b>MATTER OF YI v NEW YORK STATE BD. FOR PROFESSIONAL MED. CONDUCT</b> <b>Appellant - Anthony Z. Scher, Esq.</b> Law Office of Anthony Z. Scher (Won Yi) <b>Respondent - Jessica L. Preis, Esq.</b> Office of the New York State Attorney General (New York State Board for Professional Medical Conduct)	10 10
(2)	110875	<b>PEOPLE v ISIAH M. JOHNSON</b> <b>Appellant - John A. Cirando, Esq. [Assigned]</b> D.J. & J.A. Cirando, PLLC (Isaiah Johnson) <b>Respondent - Anne Hammerstrom Stark, Esq.</b> Chemung County District Attorney's Office (The People of the State of New York)	10 10
(3)	534941	<b>BARESE v ERIE AND NIAGARA INS. ASSOC.</b> <b>Appellant - Matthew J. Kelly, Esq.</b> Roemer Wallens & Mineaux (Juan C. Barese) <b>Respondent - Brian D. Casey, Esq.</b> Cabaniss Casey LLP (Erie and Niagara Insurance Association) <b>Respondent - Christopher P. Foley, Esq.</b> Law Office of Christopher P. Foley (Naccarato Insurance)	10 5 5

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Calendar No.	Case No.	Title	Time Allocated
(4)	112674	<b>PEOPLE v ROBERT PATTERSON</b> <b>Appellant - John A. Cirando, Esq. [Assigned]</b> D.J. & J.A. Cirando, PLLC (Robert Patterson)	10
		<b>Respondent - Philip A. Alvaro, Esq.</b> Chemung County District Attorney's Office (The People of the State of New York)	10
(5)	535961	<b>LIBERTY MUTUAL INS. CO. v PMI NEWCO</b> <b>Appellant - Matthew W. O'Neil</b> Costello, Cooney & Fearon (PMI Newco, LLC)	10
		<b>Respondent - Alexander W. Cogbill, Esq.</b> Zelle LLP (Liberty Mutual Insurance Company)	10
(6)	CV-22-2347	<b>87 UPTOWN ROAD LLC v COUNTRY MUTUAL INS. CO.</b> <b>Appellant - Patricia A. Lynn-Ford, Esq.</b> Lynn Law Firm, LLP (87 Uptown Road, LLC)	10
		<b>Respondent - Christopher J. Sasiadek, Esq.</b> Rupp Pfalzgraf LLC (Country Mutual Insurance Company)	10
(7)	CV-22-2207	<b>CATMAN v BACK WATER GRILLE LLE</b> <b>Appellant - Christopher R. Burke, Esq.</b> DeLorenzo Grasso Dalmata, LLP (Robert Catman)	10
		<b>Respondent - Joseph A. Nett, Esq.</b> Brand & Tapply, LLC (Back Water Grille LLC)	10

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Calendar No.	Case No.	Title	Time Allocated
(8)	CV-22-2183	<b>MATTER OF GIUSEPPE V. v TIFFANY U.</b> Appellant - Ivy M. Schildkraut, Esq. [Assigned] Respondent - Martin S. Butcher, Esq. Law Offices of Martin S. Butcher, Esq. (Giuseppe V.) Attorney for the Child - Marcia Heller, Esq.	SUB 10  SUB
(9)	535958	<b>MATTER OF ANDERSON v CITY OF YONKERS</b> Appellant - Geoffrey H. Schotter, Esq. Schotter Millican, LLP (Melissa Anderson) Respondent - Ralph E. Magnetti, Esq. Cherry Edson & Kelly (City of Yonkers, et al.)	<u>Remote</u> 10  <u>In Person</u> 10
(10)	CV-23-0283	<b>MATTER OF RONDA A. v JENNIFER A.</b>	SUB
(11)	534701	<b>MATTER OF SPILLERS v HEALTH &amp; HOSP. CORP.</b>	SUB
(12)	112830	<b>PEOPLE v BRANDON L. BAILEY</b>	SUB
(13)	534946	<b>MATTER OF HICKEY v SKANSKA-WALSH JV/PACE CAR PLUMBING LLC</b>	SUB
(14)	CV-23-0298	<b>MATTER OF LEONARD v DAVID'S BRIDAL, INC.</b>	SUB
(15)	CV-23-0569	<b>MATTER OF JOHANNA MOQUETE (COMMISSIONER OF LABOR)</b>	SUB